

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

**EXPERIAN MARKETING
SOLUTIONS, INC., a Delaware
Corporation,**

Plaintiff,

vs.

**U.S. DATA CORPORATION, a
Nebraska Corporation, and JEFF
HERDZINA,**

Defendants.

CASE NO.: 8:09CV24

ORDER

This matter is before the Court on the Motion to Dismiss (Filing No. 20) filed by Defendants U.S. Data Corporation and Jeff Herdzina. Because the parties have expressed a willingness to enter into settlement negotiations, the Defendants' Motion to Dismiss will be held in abeyance, consistent with Magistrate Judge F.A. Gossett's scheduling order (Filing No. 29).

IT IS ORDERED:

1. The Motion to Dismiss (Filing No. 20) submitted by Defendants U.S. Data Corporation and Jeff Herdzina will be held in abeyance until June 1, 2009, in accordance with Magistrate Judge F. A. Gossett's scheduling order (Filing No. 29);
2. In the event that the parties do not reach a settlement by June 1, 2009, the Plaintiff Experian Marketing Solutions, Inc., may file a brief in opposition to the Defendants' Motion to Dismiss (Filing No. 20) on or before June 8, 2009; and
3. The Defendants U.S. Data Corporation and Jeff Herdzina may file a reply to any brief in opposition to the Defendants' Motion to Dismiss on or before June 15, 2009.

Dated this 22nd day of April, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge